

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOOGLE LLC,
Plaintiff,
v.
KYDIA INC.,
Defendant.

Case No.18-cv-03047-NC

**ORDER FINDING GOOD CAUSE
FOR PLAINTIFF’S PROPOSED
PROTECTIVE ORDER**

Plaintiff Google LLC and Defendant Kydia, Inc. submitted proposed discovery Protective Orders following their August 22, 2018 Case Management Conference. *See* Dkt. No. 41. Google requests both an “Attorneys Eyes Only” designation and an additional “Outside Counsel Only” designation pursuant to the Northern District of California’s Model Protective Order for Litigation Involving Patents, Highly Sensitive Confidential Information And/Or Trade Secrets. *Id.* Kydia contends that only a basic “Confidential” designation is warranted. *Id.* Google believes that the most sensitive documents to be discovered in this case could enable Kydia or other parties to learn about and thereby circumvent Google’s methods of protecting its users against fraud and abuse. The Court finds that this concern warrants special protection from public disclosure and from use for any purpose other than prosecuting this litigation. These sensitive documents meet the definition of “Highly Confidential” under the Model Order because their disclosure would create a substantial risk of serious harm – enabling Kydia or other parties

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1 to circumvent Google’s fraud-protection strategies – that could not be avoided by
2 employing a less-restrictive designation. The Court FINDS good cause for Google’s
3 proposed heightened designations and GRANTS Google’s requests for “Attorneys Eyes
4 Only” and “Outside Counsel Only” designations. The Court additionally grants Google’s
5 Proposed Order at Dkt. 41, Exhibit A.

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7 **IT IS SO ORDERED.**

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9 Dated: October 16, 2018

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NATHANAEL M. COUSINS
United States Magistrate Judge

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